

Social Security

Benefits
For Children
With Disabilities



Benefits For Children With Disabilities

About This Booklet

This booklet is written primarily for the parents and caregivers of children with disabilities and adults disabled since childhood. It illustrates the kinds of Social Security and Supplemental Security Income (SSI) benefits a child with a disability might be eligible for and explains how we evaluate disability claims for children.

Millions of children already get benefits from Social Security. This booklet will help you decide if your child, or a child you know, is eligible for Social Security or SSI.

Social Security's Toll-Free
Number
1-800-772-1213
Internet: <http://www.ssa.gov>

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The Three Ways A Child Can Get Benefits From Social Security Or SSI

There are three ways a child might be eligible for benefits from Social Security or SSI. The three kinds of benefits are:

1) SSI Benefits For Children—

These are benefits payable to disabled children under age 18 who have limited income and resources, or who come from homes with limited income and resources.

2) Social Security Dependents

Benefits—These are benefits payable to children under the age of 18 on the record of a parent who is collecting retirement or disability benefits from Social Security, or survivors benefits payable to children under the age of 18 on the record of a parent who has died.

Although children under age 18 who are eligible for these benefits might be disabled, we do not need to consider their disability to qualify them for benefits. **Note:** A child can continue receiving dependents or survivors benefits until age 19 if he or she is a full-time student in elementary or high school.

3) Social Security Benefits For Adults Disabled Since Childhood—

The benefits explained in the previous section normally stop when a child reaches age 18 (or 19 if the child is a full-time student). However, those

benefits can continue to be paid into adulthood if the child is disabled. To qualify for these benefits, an individual must be eligible as the child of someone who is getting Social Security retirement or disability benefits, or of someone who has died, and that child must have a disability that began prior to age 22.

Although most of the people getting these benefits are in their 20s and 30s (and some even older), the benefit is considered a “child’s” benefit because of the eligibility rules.

SSI Benefits For Children With Disabilities

Non-Medical Rules

SSI is a program that pays monthly benefits to people with low incomes and limited assets who are 65 or older, blind, or disabled. Children can qualify if they meet Social Security’s definition of disability (see Pages 6-8) and if their income and assets fall within the eligibility limits.

As its name implies, Supplemental Security Income **supplements** a person’s income up to a certain level. The level varies from one state to another and can go up every year based on cost-of-living increases. Check with your local Social Security office to find out more about the SSI benefit levels in your state.

Rules For Children Under 18

Most children do not have their own income and do not have many assets. However, when children under age 18 live at home (or are away at school but return home occasionally and are subject to parental control), we consider the parent's income and assets when we decide if the child qualifies. We refer to this process as "deeming" of income and assets.

Check with your Social Security office for information about your child's specific situation and for a full explanation of the "deeming" process.

Rules For Children 18 And Older

When a child turns 18, we no longer consider the parent's income and assets when we decide if he or she can get SSI. A child who was not eligible for SSI before his or her 18th birthday because the parent's income or assets were too high may become eligible at 18.

On the other hand, if a child with a disability who is getting SSI turns 18 and continues to live with his or her parent(s), but does not pay for food or shelter, a lower payment rate may apply.

How We Decide If A Child Is Disabled For SSI

While your local Social Security office decides if your child's income and assets are within the SSI limits, all documents and evidence pertaining to the disability are sent to a state office,

usually called the Disability Determination Service (DDS). There, a team, comprised of a disability evaluation specialist and a doctor, reviews your child's case to decide if he or she meets our definition of disability.

If the available records are not thorough enough for the DDS team to make a decision, you may be asked to take your child to a special examination that Social Security will pay for. It is very important that you do this, and that your child puts forth his or her best effort during the examination. The results of the examination will not be considered valid unless your child puts forth his or her best effort. Failure to attend the examination, or invalid results due to poor effort, could result in an unfavorable decision.

Deciding SSI Disability For Children Under 18

The law states that a child will be considered disabled if he or she has a physical or mental condition (or a combination of conditions) that results in "marked and severe functional limitations." The condition must last or be expected to last at least 12 months or be expected to result in the child's death. And, the child must not be working at a job that we consider to be substantial work.

To make this decision, the disability evaluation specialist first checks to see if the child's disability can be found in a special listing of impairments that is contained in Social Security's regulations, or if the condition is medically or functionally equal to an impairment that is on the list. These listings are descriptions of symptoms, signs or laboratory findings of more than 100 physical and mental problems, such as cerebral palsy, mental retardation or muscular dystrophy, that are severe enough to disable a child, but the child's condition does not have to be one of the conditions on the list. If the symptoms, signs or laboratory findings of the child's condition are the same as, or medically equal in severity to, the listing, the child is considered disabled for SSI purposes. He or she also will be considered disabled if the functional limitations from his or her condition or combination of conditions are the same as the disabling functional limitations of any listed impairment.

To determine whether the child's impairment causes "marked and severe functional limitations," the disability evaluation team obtains evidence from a wide variety of sources who have knowledge of your child's condition and how it affects his or her ability to function on a day-to-day basis and over time. These sources include, but are not limited to, the doctors and other health professionals who treat your child, teachers, counselors, therapists and social workers. A finding of disability will not be based solely on your

statements or on the fact that your child is, or is not, enrolled in special education classes.

A Special Message To Parents Of Children With Severe Disabilities

The disability evaluation process generally takes several months. But the law includes special provisions for people (including children) signing up for SSI disability whose condition is so severe that they are presumed to be disabled. In these cases, SSI benefits are paid for up to six months while the formal disability decision is being made. (Of course, these payments can be made only if the child meets the other eligibility factors explained on Pages 4-5).

Following are some of the disability categories in which we can presume the child is disabled and make immediate SSI payments:

- HIV infection
- Blindness
- Deafness (in some cases)
- Cerebral palsy (in some cases)
- Down syndrome
- Muscular dystrophy (in some cases)
- Significant mental deficiency
- Diabetes (with amputation of one foot)
- Amputation of two limbs
- Amputation of leg at the hip

If we make these special payments, and if we later decide that the child's disability is not severe enough to qualify for SSI, the benefits do **not** have to be paid back.

Children With HIV Infection

Children with HIV infection may differ from adults in the way the infection is acquired and in the course of the disease. DDS disability examiners and doctors have been provided with extensive guidelines to use when evaluating claims for children involving HIV infection.

Some children may not have the conditions specified in our current guidelines for evaluating HIV infection, but may have other signs and symptoms that indicate an impairment that results in marked and severe functional limitations. As indicated earlier, this kind of evidence may help show that your child is disabled for SSI purposes.

Social Security Benefits For Older Children With Disabilities And For Adults Disabled Since Childhood

Non-Medical Rules

As indicated earlier, although children under 18 who are eligible for benefits might be disabled, we don't need to consider their disability when deciding if they qualify for Social Security dependent's or survivor's benefits.

However, when a child who is getting a dependent's or survivor's benefit from Social Security reaches 18, those benefits generally stop unless one of the following conditions is met:

- The child is a full-time student in an elementary or high school. In this case, benefits continue until age 19; or
- The child is disabled. In this case benefits can continue as long as the child remains disabled, even into his or her adult years.

Many times, an individual doesn't become eligible for a disabled child's benefit from Social Security until later in life. Here's an example: John Jones starts collecting Social Security retirement benefits at the age of 62. He has a 38-year-old son, Ben, who has had cerebral palsy since birth. Ben will start collecting a disabled "child's" benefit on his father's Social Security record.

How We Decide If An “Adult Child” Is Disabled

We will evaluate the disability of an adult child (age 18 or older) who is applying for Social Security for the first time, or who is being converted from a Social Security dependent child's benefit, by using adult disability criteria.

Briefly, to qualify for disability, an adult must have a physical or mental impairment, or combination of impairments, that is expected to keep him or her from doing any “substantial” work for at least a year or is expected to result in death. (Generally, a job that pays \$500 or more per month is considered substantial.)

The individual's condition is compared to a listing of impairments that are considered to be severe enough to prevent an individual from working for a year or more. If the individual is not working and has an impairment that meets or is equal to a condition on the list, then he or she is considered disabled for Social Security purposes.

If we cannot match the person's impairment with one of the listings, then we assess his or her ability to perform the same type of work he or she did in the past (if any). If the person cannot do that work, or does not have any past work history, then we consider his or her ability to do any kind of work he or she is suited for (based on age, education and experience). If, considering all these factors, a person is found

to be unable to do any substantial work, then he or she would qualify for disability benefits from Social Security.

Applying For Social Security Or SSI Benefits...And How To Expedite The Process

You can apply for Social Security or SSI benefits for your child by calling or visiting your local Social Security office. You should have your child's Social Security number and birth certificate available when you apply. If you're signing up your child for SSI, you also will need to provide records that show your income and your assets, as well as those of the child.

The medical evaluation specialists at the DDS need thorough and detailed medical records to help them decide if your child is disabled. You can speed up the claims process by providing the medical records or helping us get them. When you file, you will be asked to provide names, addresses and telephone numbers of all doctors, hospitals, clinics and other specialists your child has visited.

In addition, if your child is under age 18 and applying for SSI, you will be asked to describe how your child's disability affects his or her ability to function on a day-to-day basis. Therefore, we may ask you to provide the names of teachers, day care providers and family members who can give us information about how your child functions. If

you have any school records, you should bring them with you to the interview.

Please be as specific and thorough as possible when you answer these questions. This means that you should give us the dates of visits to doctors or hospitals, the account numbers and any other information that will help us to get your child's medical records as soon as possible. If you do not have all of this information, tell the interviewer as much as you know.

In many communities, special arrangements have been made with medical providers, social service agencies and schools to help us get the evidence we need to process your child's claim. Most DDSs have Professional Relations Officers who work directly with these organizations to facilitate this process. However, your additional cooperation in obtaining records and evidence will help us decide your claim faster.

Medicaid And Medicare

Medicaid is a health care program for people with low incomes and limited assets. In most states, children who get SSI benefits qualify for Medicaid. In many states, Medicaid comes automatically with SSI eligibility. In other states, you must sign up for it. And some children can get Medicaid coverage even if they don't qualify for SSI. Check with your local Social Security office or your state or county social services office for more information.

Medicare is a federal health insurance program for people 65 or older, and for people who have been getting Social Security disability benefits for two years. Because children, even those with disabilities, do not get **Social Security** disability benefits until they turn 18, no child can get Medicare coverage until he or she is 20 years old.

The only exception to this rule is for children with chronic renal disease who need a kidney transplant or maintenance dialysis. Children in such a situation can get Medicare if a parent is getting Social Security or has worked enough to be covered by Social Security.

Other Health Care Services

If we decide a child is disabled and eligible for SSI, we refer him or her for health care services under the Children with Special Health Care Needs (CSHCN) provisions of the Social Security Act. These programs are generally administered through state health agencies.

Although there are differences, most CSHCN programs help provide specialized services through arrangements with clinics, private offices, hospital-based out- and in-patient treatment centers or community agencies.

CSHCN programs are known in the states by a variety of names, including Children's Special Health Services, Children's Medical Services and Handicapped Children's Program. Even if your child is not eligible for SSI, a CSHCN program may be able to help

you. Local health departments, social services offices or hospitals should be able to help you contact your CSHCN program.

To Learn More About Social Security And SSI

Social Security produces a variety of publications that explain the various Social Security programs, including benefits available to children. For general information, we suggest you ask for a free copy of one of these:

- *Understanding The Benefits*
(Publication No. 05-10024)
- *Retirement Benefits*
(Publication No. 05-10035)
- *Survivors Benefits*
(Publication No. 05-10084)
- *Disability Benefits*
(Publication No. 05-10029)
- *SSI*
(Publication No. 05-11000)
- *Medicare*
(Publication No. 05-10043)
- *SSI For Groups And Organizations*
(Publication No. 05-11015)

(Many of these publications are available in Spanish.)

To get copies of these and other publications or to learn more about benefits for children with disabilities, call or visit your local Social Security office.

Social Security publications are also available to users of the Internet. Type: <http://www.ssa.gov> to access the Internet and these publications.

Or you can call our toll-free number **1-800-772-1213**. You can speak to a representative between 7 a.m. and 7 p.m. each business day. Our lines are busiest early in the week and early in the month, so, if your business can wait, it's best to call at other times. When you call, have your Social Security number handy.

Recorded information and services are available 24 hours a day, including weekends and holidays.

People who are deaf or hard of hearing may call our toll-free "TTY" number, 1-800-325-0778, between 7 a.m. and 7 p.m. on business days.

The Social Security Administration treats all calls confidentially— whether they're made to our toll-free numbers or to one of our local offices. But we also want to ensure that you receive accurate and courteous service. That's why we have a second Social Security representative monitor some incoming and outgoing telephone calls.



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